

S.B.Cr.Misc. Bail App. No.3942/2004

Date of order : 03.11.2004

**HON'BLE MR.H.R.PANWAR,J.**

Ms Vimla Jain, for the petitioner.

Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the learned Public Prosecutor for the State. Perused the order impugned.

The petitioner is facing trial for the offence under section 19/54, Rajasthan Excise Act. The petitioner was granted bail but he failed to appear before the trial court on 10.4.1998. However, after having been arrested, he moved a bail application before the trial court, which came to be rejected by the trial court.

Learned counsel for the petitioner submits that if the petitioner is granted bail, he will continuously appear before the trial court on each and every date of hearing and whenever called upon to do so till completion of the trial and will not repeat the bail jump.

Having considered the totality of facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and petitioner Hem Singh alias Thakaria s/o Ladhu Singh be released on bail in FIR No.125/1997, P.S. Pali provided he furnishes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties in the sum of Rs. 25000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

**(H.R.PANWAR),J.**

**m.asif/-**